

National Aeronautics and Space Administration

George C. Marshall Space Flight Center
Marshall Space Flight Center, AL 35812



September 18, 2007

Reply to Attn of:

LS01(DMW)

MEMORANDUM FOR RECORD

FROM: LS01/William J. Bierbower

SUBJECT: Blanket approval for MSFC Senior Institutional and those with Project Responsibilities to Attend a Reception and IMAX Movie Showing Sponsored by Ball Aerospace & Technologies Corporation

In accordance with 5 CFR. § 2635.204(g)(2) and (3), I make the following determination:

Certain MSFC employees with senior institutional or project responsibilities have been invited to attend a reception and IMAX movie showing of "In the Shadow of the Moon" Sponsored by Ball Aerospace & Technologies Corporation (BATC), to be held at the U.S. Space & Rocket Center, on Thursday, September 27, 2007.

This combined event will be a widely-attended gathering of local elected officials, community leaders, members of the business community, including chamber of commerce officials, and senior level government employees. The combined reception and movie showing are valued at \$15.00 per person and approximately 260 individuals have been invited to attend. The event is fully funded by BATC. I find that the reception and movie showing meet the requirements of a "widely attended gathering" as defined in 5 CFR § 2635.204(g)(2).

BATC is a contractor company that is currently providing contractual services to NASA. Some MSFC personnel invited to attend this event presently, or may in the near future, have extensive involvement in matters relating to BATC's business interests.¹ These personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or future BATC contracts.

¹ These personnel include Center Director; Deputy Center Director; Associate Center Director; Director, Office of Procurement; Deputy Director, Office of Procurement; Director, Engineering Directorate; Deputy Director, Engineering Directorate; Manager, Exploration Launch Office; Deputy Manager, Exploration Launch Office; Manager, Science & Mission Systems Office; Supervisor, Upper Stage; Supervisor, Upper Stage Engine; Supervisor, Lunar Program & Projects Office; Supervisor, Propulsion Systems Engineering & Integration; Supervisor, First Stage; Supervisor, Vehicle Integration; Supervisor, Reusable Solid Rocket Booster Project; Supervisor, Space Craft & Vehicle Systems Department; Deputy Supervisor, Space Craft & Vehicle Systems Department; and Deputy Supervisor, Propulsion Systems Department.

I have determined that free attendance of these senior institutional and project leaders at the event is in the interests of the agency because it will further agency programs and operations. The attendance of these senior NASA employees at the event will help to raise NASA's profile with state and local business and governmental leaders, will contribute to community relations, and will support NASA's statutory mandate to disseminate information about its programs.

Given the purpose of the event, NASA's interest in it, the broad attendance anticipated, and the modest market value of the event, I have determined that the value to the agency in having these senior institutional and project leaders attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees in the positions identified above may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. Free attendance by employees whose duties do not affect the sponsor are addressed in a separate determination.

Questions about this determination may be addressed to Devinti M. Williams at 256-544-0012.

A handwritten signature in black ink, appearing to read "William J. Bierbower". The signature is fluid and cursive, with a long horizontal stroke at the end.

William J. Bierbower
Chief Counsel